

Message

**From:** Lazos, Pamela [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15D4F11C6327474BB424A24CBD406E93-PLAZOS]  
**Sent:** 5/19/2021 5:54:33 PM  
**To:** Rivera, Nina [Rivera.Nina@epa.gov]  
**Subject:** RE: time for the RA issues paper

Well, the banjo does add a whole other dimension.

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**From:** Rivera, Nina <Rivera.Nina@epa.gov>  
**Sent:** Wednesday, May 19, 2021 1:06 PM  
**To:** Lazos, Pamela <Lazos.Pamela@epa.gov>  
**Subject:** RE: time for the RA issues paper

That sounds wonderful. Doug and I can't compete with that (well, maybe if Doug brought his banjo...)

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**From:** Lazos, Pamela <Lazos.Pamela@epa.gov>  
**Sent:** Wednesday, May 19, 2021 1:03 PM  
**To:** Rivera, Nina <Rivera.Nina@epa.gov>  
**Subject:** RE: time for the RA issues paper

Yes – by COB? I am going into my fourth or fifth call of the day and then I need to take a walk -- Sick of sitting! --and get ☐ into concurrence.

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**From:** Rivera, Nina <Rivera.Nina@epa.gov>  
**Sent:** Wednesday, May 19, 2021 12:47 PM  
**To:** Lazos, Pamela <Lazos.Pamela@epa.gov>  
**Subject:** time for the RA issues paper

These are from last month – can you update as appropriate? The updates no later than 5-25. Is it too early to forecast the CDs for the other 2 Bs? Thanks.

- **US and PADEP do not concur with Environmental Integrity Project's (EIP) Motion to Intervene in negotiations to amend Partial Consent Decree (PDC) with Capital Region Water (CRW):** EIP contacted DOJ and PADEP regarding the potential filing of a Motion to Intervene in the matter of U.S. v. Capital Regional Water and the City of Harrisburg, where the parties are currently negotiating an amendment to the Partial Consent Decree. On April 28 DOJ advised EIP that it would not concur on their motion to intervene and would not enter into a common interest agreement with EIP which EIP had requested as *quid pro quo* to stay the filing of their motion. The U.S., PADEP, and CRW have been negotiating a list of projects which will be the subject of the amended PCD and which are designed to

### **Ex. 5 Deliberative Process (DP)**

allowing CRW to complete an approvable LTCP within that period. By entering into an amended Partial Consent Decree, CRW retains the requirement to concurrently develop an approvable LTCP with an adaptive management approach. Region 3 has drafted an amended PCD, updating the 6-year old PCD to reflect the work that has been done to date and the forthcoming work. DOJ is reviewing that document; EPA hopes that DOJ can send the draft agreement to CRW within the next few weeks. The

## **Ex. 5 Deliberative Process (DP)**

**non-responsive based on revised scope**